

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

**Call to Order:** Chair Gordon Vance, on March 9, 2017 at 2:30 PM, in Room 405 Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Gordon Vance, Chair (R)  
Sen. Steve Fitzpatrick, Vice Chair (R)  
Sen. Carlie Boland (D)  
Sen. Dee Brown (R)  
Sen. Edward Buttrey (R)  
Sen. Terry Gauthier (R)  
Sen. JP Pomnichowski (D)  
Sen. Roger Webb (R)  
Sen. Lea Whitford (D)

**Members Excused:** Sen. Jen Gross (D)

**Members Absent:** None

**Staff Present:** Laura Sankey Keip, Legislative Branch  
Tia Stockton, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 205, 2/27/2017; HB 374, 2/27/2017

Executive Action: HB 144 - Partial Action Motion Withdrawn  
HB 152 - Be concurred in  
HB 213 - Be concurred in  
SB 232 - Do pass

00:00:02 Chair Vance

**EXECUTIVE ACTION ON HB 152**

00:00:50 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 152 BE CONCURRED IN**. Motion carried 9-1 by voice vote with Sen. Pomnichowski voting no. Sen. Gross voted by proxy. Sen. Fitzpatrick will carry the bill.

**EXECUTIVE ACTION ON HB 213**

00:01:42 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 213 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Gross voted by proxy. Sen. Webb will carry the bill.

**EXECUTIVE ACTION ON HB 144**

00:02:39 **Motion:** Sen. Fitzpatrick moved that **HB 144 BE CONCURRED IN**.

00:02:59 Chair Vance

00:03:03 **Motion:** Sen. Fitzpatrick moved that **HB 144 BE AMENDED**.  
[EXHIBIT](#)(his49a01)

**Discussion:**

00:03:13 Laura Sankey Keip, Legislative Services Division (LSD)  
00:03:43 Sen. Brown

00:04:09 **Substitute Motion:** Sen. D. Brown made a Substitute Motion that **HB 144 BE AMENDED CONCEPTUALLY**.

**Discussion:**

00:04:30 Sen. Buttrey  
00:04:45 Chair Vance

00:04:54 **Vote:** Motion carried 9-0 by voice vote of those present and voting.

00:05:07 **Motion:** Sen. Fitzpatrick moved that **HB 144 BE CONCURRED IN AS AMENDED**.

**Discussion:**

00:05:16 Sen. Brown  
00:06:08 Sen. Buttrey  
00:06:24 Sen. Brown  
00:06:33 Sen. Whitford  
00:06:50 Sen. Buttrey

00:06:56 Without objection, Sen. Fitzpatrick withdrew the BE CONCURRED IN AS AMENDED motion.

00:07:10 Sen. Buttrey

**EXECUTIVE ACTION ON SB 232**

00:07:31 **Motion:** Sen. Fitzpatrick moved that **SB 232 DO PASS.**

00:07:57 **Motion:** Sen. D. Brown moved that **SB 232 BE AMENDED.**  
**EXHIBIT(his49a02)**

**Discussion:**

00:08:53 Ms. Keip, LSD

00:10:14 Chair Vance

00:10:36 Sen. Whitford

00:11:02 Chair Vance

00:11:06 Sen. Whitford

00:11:17 Chair Vance

00:11:55 Sen. Gauthier

00:12:20 Chair Vance

00:12:27 Sen. Buttrey

00:12:44 Sen. Webb

00:12:59 Chair Vance

00:13:14 Sen. Whitford

00:13:51 Sen. Buttrey

00:14:01 Chair Vance

00:14:13 Sen. Boland

00:14:30 Chair Vance

00:14:58 Sen. Pomnichowski

00:15:55 Sen. Webb left the meeting.

00:16:09 Sen. Brown

00:16:42 Sen. Pomnichowski

00:17:55 **Vote:** Motion failed 3-7 by roll call vote with Sen. D. Brown, Sen. Buttrey and Sen. Vance voting aye. Sen. Gross and Sen. R. Webb voted by proxy.

00:18:35 Chair Vance

00:18:41 **Vote:** Motion carried 7-3 by roll call vote with Sen. D. Brown, Sen. Buttrey and Sen. R. Webb voting no. Sen. Gross and Sen. R. Webb voted by proxy.

00:19:13 Chair Vance

**HEARING ON HB 374**

**Opening Statement by Sponsor:**

00:19:36 Rep. Kerry White (R), HD 64, opened the hearing on HB 374, Revise right of way laws for county water and sewer districts.

**Proponents' Testimony:**

00:22:47 Matt Donnelly, volunteer, Gallatin County Gateway Water and Sewer District

**Opponents' Testimony:** None

**Informational Testimony:**

00:26:36 Lynn Zanto, Montana Department of Transportation (MDT)

**Questions from Committee Members and Responses:**

00:26:59 Sen. Buttrey  
00:27:23 Ms. Zanto, MDT  
00:28:00 Sen. Brown  
00:28:17 Ms. Zanto  
00:30:35 Sen. Brown  
00:30:44 Ms. Zanto  
00:31:11 Sen. Pomnichowski  
00:32:35 Ms. Zanto  
00:33:19 Sen. Pomnichowski  
00:34:25 Ms. Zanto

**Closing by Sponsor:**

00:35:03 Rep. White

00:40:31 Chair Vance

**HEARING ON HB 205**

**Opening Statement by Sponsor:**

00:40:42 Rep. Alan Redfield (R), HD 59, opened the hearing on HB 205, Revise tax laws related to vehicles.

**Proponents' Testimony:**

00:46:08 Cary Hegreberg, executive director, Montana Contractors Association  
00:49:35 Spook Stang, Motor Carriers of Montana  
00:52:31 Harold Blattie, executive director, Montana Association of Counties  
00:53:04 Bridger Mahlum, Montana Chamber of Commerce

**Opponents' Testimony:**

00:53:55 John Andrew, representing himself

[EXHIBIT\(his49a03\)](#)

00:57:16 Neal Ullman, Montana Conservation Voters

01:03:13 Tucker Finley, Montana Public Interest Research Group

01:05:49 Brian Fadie, Montana Environmental Information Center

**Informational Testimony:**

01:08:36 Larry Flynn, chief financial officer, Montana Department of Transportation (MDT)

01:11:27 Lisa Wanke, Motor Vehicle Division, Department of Justice (DOJ)

01:12:19 John MacDonald, Alliance of Automobile Manufacturers

**Questions from Committee Members and Responses:**

01:13:06 Sen. Buttrey

01:13:49 Rep. Redfield

01:13:59 Sen. Brown

01:14:40 Mr. Flynn, MDT

01:14:59 Sen. Pomnichowski

01:15:45 Rep. Redfield

01:16:53 Sen. Pomnichowski

01:17:17 Rep. Redfield

01:17:31 Sen. Pomnichowski

01:17:47 Rep. Redfield

01:17:57 Mr. Flynn

01:18:30 Sen. Pomnichowski

01:18:46 Mr. Flynn

01:19:25 Sen. Pomnichowski

01:19:31 Mr. Flynn

01:20:02 Sen. Pomnichowski

01:20:56 Ms. Wanke, DOJ

**Closing by Sponsor:**

01:22:16 Rep. Redfield

01:23:38 Chair Vance

**ADJOURNMENT**

Adjournment: 3:58 PM

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Tia Stockton, Secretary

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**Additional Documents**

Additional Documents:

**EXHIBIT**([his49aad.pdf](#))